

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No 10-cv-02108-BNB

**MOHAMMED SALEH,**

Petitioner,

v.

**ERIC HOLDER, et al.,**

Respondents.

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

SEP 22 2010

GREGORY C. LANGHAM  
CLERK

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**ORDER DIRECTING PETITIONER TO CURE DEFICIENCY**

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This matter is before the court on a Civil Cover Sheet, a Petition for Writ of Habeas Corpus, and an amended Petition for Writ of Habeas Corpus filed in the United States District Court for the District of Columbia by Petitioner and transferred to this court. He has failed either to pay the \$5.00 filing fee or to file a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action. As part of the court's review pursuant to D.C.COLO.LCivR 8.2, the court has determined that the submitted documents are deficient as described in this order. Notwithstanding the deficiencies, Petitioner will be directed to cure the following if he wishes to pursue his claims. Any papers which the Petitioner files in response to this order must include the civil action number on this order.

**28 U.S.C. § 1915 Motion and Affidavit:**

- (1) X is not submitted
- (2) — is missing affidavit
- (3) — is missing certified copy of prisoner's trust fund statement for the 6-month period immediately preceding this filing
- (4) X is missing certificate showing current balance in prison account
- (5) — is missing required financial information
- (6) — is missing an original signature by the prisoner
- (7) — is not on proper form (must use the court's current form)
- (8) — names in caption do not match names in caption of complaint, petition or habeas application
- (9) — An original and a copy have not been received by the court.  
Only an original has been received.
- (10) X other: Motion is necessary only if \$5.00 filing fee is not paid in advance.

**Complaint, Petition or Application:**

- (11)      is not submitted
- (12)   X   is not on proper form (must use the court's current form)
- (13)      is missing an original signature by the prisoner
- (14)      is missing page nos.
- (15)      uses et al. instead of listing all parties in caption
- (16)      An original and a copy have not been received by the court. Only an original has been received.
- (17)      Sufficient copies to serve each defendant/respondent have not been received by the court.
- (18)      names in caption do not match names in text
- (19)      other

Accordingly, it is

ORDERED that the Petitioner cure the deficiencies designated above **within thirty (30) days from the date of this order**. Any papers which the Petitioner files in response to this order must include the civil action number on this order. It is

FURTHER ORDERED that the clerk of the court mail to the Petitioner, together with a copy of this order, two copies of the following forms: Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action and Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241. It is

FURTHER ORDERED that, if the Petitioner fails to cure the designated deficiencies **within thirty (30) days from the date of this order**, the petition and the action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED September 22, 2010, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 10-cv-02108-BNB

Mohammed Saleh  
Reg No. 34853-054  
US Penitentiary ADX  
P.O. Box 8500  
Florence, CO 81226

I hereby certify that I have mailed a copy of the **ORDER** and **two copies of the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action and Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 forms** to the above-named individuals on 9/22/10

GREGORY C. LANGHAM, CLERK

By  \_\_\_\_\_

Deputy Clerk